

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 24 1990

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 22 1990 under 55400-TThe applicant Bently Nevada Corporation1617 Water Street (P.O. Box 157) of Minden
Street and No. or P.O. Box No. City or TownNevada 89423 hereby make application for permission to change the
State and Zip Code No.

the point of diversion and place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 54234
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.111 Second feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Environmental Control
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Environmental Control
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T.13N., R.20E., M.D.B.&M.
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the southwest corner of Section 8, T.13N., R.20E., M.D.B.&M.
distance to a section corner. If on unsurveyed land, it should be stated.
bears S 15° 18' 47" E a distance of 9,532.60 feet (EX-25B).
- The existing permitted point of diversion is located within NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T.13N., R.20E.,
If point of diversion is not changed, do not answer.
M.D.B.&M. at a point from which the Southwest Corner of section 8, T.13N., R.20E.,
M.D.B.&M. bears S 18° 25' 14" E a distance of 8,306.54 (EX-18B).
- Proposed place of use See Attachment A.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use within portions of S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 5, T.13N., R.20E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B.&M. and portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T.13N., R.20E.,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
M.D.B.&M.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well with air stripping tower,
State manner in which water is to be diverted, i.e. diversion structure,
pump, and associated piping.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$20,000.
- Estimated time required to construct works Already completed. 6-inch diameter gravel packed well, 89' deep, screened from 89' to 74'.

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This environmental control well is part of a remedial measure reviewed by NDEP.

Groundwater will be extracted from the shallow aquifer and treated by air stripping.

Treated water will be discharged to irrigation ditches on land owned by Bently

Nevada Corporation

By s/Thomas A. Foote
5190 Neil Rd., Suite 300
Reno, Nev. 89502

Compared bc/ mv am/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 54234 is issued subject to the terms and conditions imposed in said Permit 54234 and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of the measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.111 cubic feet per second, but not to exceed 26.18 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 11, 1992

Proof of completion of work shall be filed before November 11, 1992

Application of water to beneficial use shall be made on or before October 11, 1993

Proof of the application of water to beneficial use shall be filed on or before November 11, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed NOV 30 1992

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of November,

A.D. 19 91


 State Engineer

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

EXHIBIT A
PROPOSED PLACE OF USE

SECTION 5, T.13N.,R.20E., M.D.M.	
SE 1/4 NW 1/4	40.00 AC
W 1/2 NW 1/4	80.37 AC
SECTION 6, T.13N.,R.20E., M.D.M.	
NE 1/4 NE 1/4	40.35 AC
S 1/2 NE 1/4	80.00 AC
SE 1/4	160.00 AC
W 1/2	300.70 AC
SECTION 7, T.13N.,R.20E., M.D.M.	
NE 1/4	160.00 AC
N 1/2 SE 1/4	80.00 AC
SECTION 8, T.13N.,R.20E., M.D.M.	
W 1/2 NE 1/4	80.00 AC
NW 1/4 SE 1/4	40.00 AC
N 1/2 SW 1/4	80.00 AC
S 1/2 NW 1/4	80.00 AC
SECTION 31, T.14N.,R.20E., M.D.M.	
W 1/2	292.73 AC
SECTION 36, T.14N.,R.19E., M.D.M.	
E 1/2 E 1/2	160.34 AC
TOTAL	1674.49 AC

